

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

FILED

AUG 23 2021

Clerk, U. S. District Court
Eastern District of Tennessee
At Knoxville

UNITED STATES OF AMERICA)

Plaintiff,)

v.)

DAVID NEWMAN)

Defendant.)

No. 3:21-CR 110

JUDGES Varlan\Poplin

INFORMATION

The United States Attorney charges:

General Allegations

At all times material to this Information:

1. The Controlled Substances Act ("CSA") governs the manufacture, distribution, and dispensing of controlled substances in the United States.

2. The CSA and its implementing regulations set forth which drugs and other substances were defined by law as "controlled substances," and assigned those controlled substances to one of five Schedules (Schedule I, II, III, IV, or V) depending on their potential for abuse, likelihood of physical or psychological dependency, accepted medical use, and accepted safety for use under medical supervision.

3. A controlled substance assigned to Schedule II meant that the drug had a high potential for abuse which may lead to severe psychological or physical dependence. MS Contin and Oxycodone, was classified as a Schedule II drug.

4. Under the CSA, Title 21, United States Code, Section 841(a) et seq., and Title 21, Code of Federal Regulations, Section 1306.04, a prescription for a controlled substance is not legal or effective unless issued for a legitimate medical purpose by a practitioner acting in the usual course of professional practice.

COUNT ONE

The United States charges that from in or around December 2015, and continuing through in or around April, 2019, within the Eastern District of Tennessee, Defendant **DAVID NEWMAN** did knowingly open, lease, rent, use, and temporarily and permanently maintain a place, that is, Tennessee Valley Pain Specialists ("TVPS"), for the purpose of distributing Schedule II and Schedule V controlled substances outside the usual course of professional practice and not for a legitimate medical purpose, in violation of Title 21, United States Code, Section 856(a)(1).

FRANCIS M. TREY HAMILTON III
ACTING UNITED STATES ATTORNEY

By:



ANNE-MARIE SVOLTO
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